

No. 82-1474

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CLERK

In the Supreme Court

OF THE

United States

OCTOBER TERM, 1983

CHARLES R. HOOVER, HOWARD H. KARMAN, ROBERT D. MYERS
and HAROLD J. WOLFINGER,
Petitioners,

vs.

EDWARD RONWIN,
Respondent.

On Writ of Certiorari to the
United States Court of Appeals
For the Ninth Circuit

**AMICUS CURIAE'S RESPONSE TO
"RESPONDENT'S BRIEF IN OPPOSITION TO THE
MOTIONS FOR LEAVE TO FILE AMICUS BRIEFS
OF THE NATIONAL CONFERENCE OF BAR
EXAMINERS AND OF THE STATE BAR OF
CALIFORNIA"**

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It is distressing that this high Court is burdened with a quarrel between counsel about conversations within the normal range of professional communications; and for this we apologize. However, a reply must be made to Mr. Ronwin's charges that the undersigned counsel for the National Conference of Bar Examiners engaged in "disgraceful and unethical . . . actions [in] a flagrant interference" with this Court's business. Respondent's Brief, 5.

We had thought not to dignify Mr. Ronwin's charges with a response and not to burden the Court with a matter such as this, but concluded that his factual claims required a brief response.

The facts about the conduct of the National Conference of Bar Examiners ("NCBE") and its attorney, Kurt W. Melchior ("Melchior") are these:

1. In his original conversation with Mr. Ronwin, Melchior stated that neither he nor NCBE would cause any interference with the decision-making of any potential amici curiae, although it would be useful to identify the interested parties.

2. Neither NCBE nor Melchior have attempted directly or indirectly in any manner to interfere with anyone, or to "pressure" them against submitting a brief in support of Mr. Ronwin's position.

3. Recently, Linda Jones, an Assistant Attorney General of Maryland, called Melchior to ask for a copy of the NCBE brief. In this conversation, Ms. Jones stated that she was the attorney who would write any brief Maryland might file in this action, and that she was aware of no contacts with her office by NCBE or the Maryland Bar on the matter, other than an inquiry by the Maryland Board of Law Examiners as to what the case was about.

Surely the Attorney General of Maryland and the Public Advocate of New Jersey are competent to make their own decisions about submitting briefs and hardy enough to decide such things on their merits.

The true point about the acceptance of amicus curiae briefs is surely whether the briefs are filed according to

the Rules of this Court and address issues before the Court in a helpful manner; and we respectfully request that NCBE's application for leave to file its brief be judged on that basis.

We are embarrassed that a matter of this nature has been presented to this Court at all; but Mr. Ronwin's objections are not well taken and should be rejected.

Dated: August 31, 1983.

Respectfully submitted,

Of Counsel:

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VERIFICATION

(28 U.S.C. § 1746)

I declare under penalty of perjury that I am a member of the Bar of the Supreme Court of the United States and that all statements of fact in the foregoing Reply are true and correct.

Executed on August 31, 1983.

Kurt W. Melchior

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